

05-17-04

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Attorney Docket No. 04034/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Tuyoshi MUTOU et al
Serial No. : 10/761,485
Filed : January 20, 2004
For : OCCUPANT DISCRIMINATING
METHOD FOR VEHICULAR SEAT
Art Unit :
Examiner :

**INFORMATION DISCLOSURE STATEMENT
WITH STATEMENT UNDER 37 CFR 1.97)(e)
AND STATEMENT UNDER 37 CFR 1.704(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of Search Report issued in the counterpart European application;
- (2) Copies of the cited publications (except for Japanese 2001-180353, a copy of which was filed with the Information Disclosure Statement filed January 20, 2004); and
- (3) Form PTO/SB/08A. It is requested that an initialed copy of the Form PTO/SB/08A be returned to indicate that the publications listed therein have been considered and made of record.

Said communication is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein (MPEP 609 III A(3)).

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I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


St. Dianne Franklin

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

As indicated above, a copy of Japanese 2001-180353, cited in the enclosed European Search Report, is not provided herewith since a copy has already been provided with the Information Disclosure Statement filed January 20, 2004.

As seen from the listing of family members in the European Search Report, WO 02/32716 corresponds to U.S. Published Application No. 2004/0051376. U.S. Publication No. 2004/0051376 is listed on the attached Form PTO/SB/08A. It is respectfully requested that this publication be made of record.

A copy of U.S. Patent Publication No. 2004/0051376 identified on said Form PTO/SB/08A is not enclosed herewith since the USPTO waived the requirement to file copies of U.S. patents and U.S. patent application publications for U.S. patent applications filed after June 30, 2003. See the USPTO Notice dated July 11, 2003.

STATEMENT UNDER 37 CFR 1.97(e) (1)

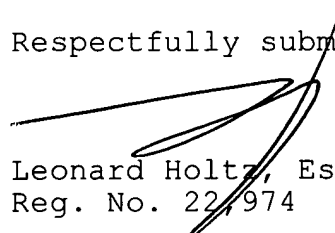
Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of May 4, 2004. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

STATEMENT UNDER 37 CFR 1.704(d)

Each item of information contained in this Information Disclosure Statement was cited in said communication from a foreign patent office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the present Information Disclosure Statement.

It is respectfully requested that the attached publications be considered and made of record.

Respectfully submitted,


Leonard Holtz, Esq.
Reg. No. 22,974

Encs.

Dated: May 13, 2004

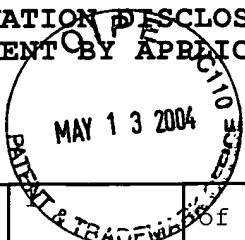
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PTO/SB/08A (08-00)

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Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT 		Application Number		10/761,485	
		Filing Date		January 20, 2004	
		First Named Inventor		Tuyoshi MUTOU et al	
		Group Art Unit			
		Examiner Name			
Sheet		Of	1	Attorney Docket Number	04034/LH

U.S. PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		6,012,007	A	FORTUNE et al	01-04-2000	
		2004/0051376	A1	LICH et al	03-18-2004	

FOREIGN PATENT DOCUMENTS

Exam Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
		DE	197 54 166	A1	VOLKSVAGEN AB	06-10-1999		
		EP	1 205 342	A1	NHK SPRING CO. LTD.	05-15-2002		
		WO	99/38731	A	I.E.E. INTERNATIONAL ELECTRONICS & ENGINEERING	08-05-1999		*
		WO	02/32716	A	ROBERT BOSCH GmbH	04-25-2002		*
			*English language Abstract only.					

Examiner Signature		Date Considered	
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

DATE MAILED: May 13, 2004